

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By Chairman John Sinrud, on March 27, 2007 at 4:35 P.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. John Sinrud, Chairman (R)  
Rep. Eve Franklin, Vice Chairman (D)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Bill Beck (R)  
Rep. Tim Callahan (D)  
Rep. Bill E. Glaser (R)  
Rep. Ray Hawk (R)  
Rep. Cynthia Hiner (D)  
Rep. Galen Hollenbaugh (D)  
Rep. Joey Jayne (D)  
Rep. Dave Kasten (R)  
Rep. Bill McChesney (D)  
Rep. Penny Morgan (R)  
Rep. John L. Musgrove (D)  
Rep. Rick Ripley (R)  
Rep. Jon C. Sesso (D)  
Rep. Jack Wells (R)  
Rep. Craig Witte (R)

**Members Excused:** Rep. Edith Clark (R)

**Members Absent:** None.

**Staff Present:** Jon Moe, Legislative Branch  
Linda Keim, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Executive Action: HB 797, HB 330, HB 844, HB 700, HB 63, HB 539, HB 418

**HEARING ON HB 797**

**Opening Statement by Sponsor:**

00:03:28 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 797, Provide for an early presidential primary.

**Proponents' Testimony:**

00:05:06 Jeff Garrard, for Secretary of State Brad Johnson

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:06:57 Rep. Musgrove  
00:07:27 Rep. Ankney  
00:08:01 Mark Simonich, on behalf of Brad Johnson  
00:10:13 Rep. Musgrove  
00:10:34 Mr. Simonich  
00:11:12 Rep. Beck  
00:11:36 Mr. Simonich

**Closing by Sponsor:**

00:12:16 Rep. Ankney  
00:13:59 Rep. Franklin  
00:15:00 Rep. Sinrud

**HEARING ON HB 844**

**Opening Statement by Sponsor:**

00:16:05 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 844, Revise closed basin laws.

**Proponents' Testimony:**

00:26:07 Steve Pilcher, Montana Stockgrowers Association; also representing Mike Murphy, Montana Water Resources Association  
00:29:25 Abigail St. Lawrence, Montana Association of Realtors; also representing Jacqueline Lenmark, Montana Well Drillers

**Opponents' Testimony:**

00:32:55 Al Jaeger, G2 Consulting, Bozeman

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:34:20 Rep. Ripley  
00:34:43 Mr. Jaeger  
00:35:02 Rep. Jayne  
00:38:33 Ms. St. Lawrence  
00:39:18 Rep. Kasten  
00:39:46 Rep. Barrett  
00:40:46 Rep. Callahan  
00:41:27 Rep. Barrett  
00:42:45 Rep. Barrett  
00:42:54 Rep. Callahan  
00:43:01 Ms. St. Lawrence  
00:44:30 Rep. Franklin  
00:45:53 Holly Franz, Attorney  
00:47:29 Rep. Jayne  
00:47:53 Ms. St. Lawrence  
00:49:47 Rep. Sesso  
00:54:42 Rep. Barrett  
00:55:23 Rep. Sesso  
00:56:05 Stan Bradshaw, Water Attorney, Trout Unlimited  
00:57:26 Rep. Ripley  
00:57:48 Rep. Sesso  
00:58:02 Rep. Ripley  
00:58:13 Rep. Franklin  
00:58:22 Ms. Franz; informational  
00:58:39 Rep. Barrett  
00:59:16 Rep. Taylor  
00:59:59 Krista Lee Evans, Legislative Services Division  
01:00:54 Rep. Franklin  
01:01:26 Rep. Barrett  
01:02:08 Rep. Jayne  
01:02:45 Rep. Barrett  
  
01:03:17 Rep. Taylor announced that the hearing will be  
continued at 10AM 3/28.

**HEARING ON HB 801**

**Opening Statement by Sponsor:**

01:03:56 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 801, Health insurance payments as income tax credit for certain individuals.

[EXHIBIT \(aph65b01\)](#)

[EXHIBIT \(aph65b02\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:07:13 Rep. Morgan  
01:08:43 Rep. MacLaren  
01:09:07 Rep. Franklin  
01:10:10 Rep. MacLaren  
01:10:46 Rep. Kasten  
01:10:53 Rep. MacLaren  
01:11:08 Rep. Ripley  
01:11:19 Rep. MacLaren  
01:11:27 Rep. Wells  
01:11:38 Rep. MacLaren  
01:11:50 Rep. Glaser  
01:12:05 Rep. MacLaren  
01:12:26 Rep. Taylor  
01:12:34 Rep. MacLaren

**Closing by Sponsor:**

01:13:02 Rep. MacLaren

**HEARING ON HB 700**

**Opening Statement by Sponsor:**

01:13:49 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HB 700, Fund college youth leadership.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:15:02 Rep. Morgan  
01:16:20 Rep. Windy Boy  
01:16:22 Rep. Kasten  
01:16:34 Rep. Windy Boy

**Closing by Sponsor:**

01:17:21 Rep. Windy Boy  
  
01:18:04 Rep. Taylor  
01:19:07 Rep. Glaser

**HEARING ON HB 63**

**Opening Statement by Sponsor:**

01:19:47 Rep. John Musgrove (D), HD 34, opened the hearing on HB 63, Actuarially fund teacher retirement system.

**Proponents' Testimony:**

01:23:50 David Senn, Executive Director, Teachers' Retirement System  
[EXHIBIT\(aph65b03\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:29:04 Rep. Kasten  
01:29:54 Mr. Senn  
01:30:10 Rep. Glaser  
01:31:40 Rep. Musgrove  
01:32:26 Rep. Sinrud  
01:32:30 Rep. Morgan  
01:32:48 Rep. Sinrud  
01:32:55 Rep. Glaser  
01:33:24 Rep. Sinrud

**Closing by Sponsor:**

01:33:55 Rep. Musgrove  
  
01:34:20 Recess

**EXECUTIVE ACTION ON HB 797**

01:57:18 **Motion:** Rep. Taylor moved **HB 797 DO PASS.**

01:57:57 Rep. Kasten

01:58:14 Rep. Sinrud

01:58:24 Rep. Kasten

01:58:31 Rep. Morgan

01:58:44 **Vote:** Motion carried 13-6 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, and Rep. Musgrove voting no. Rep. Clark and Rep. Hawk voted by proxy.

**EXECUTIVE ACTION ON HB 330**

01:58:44 **Motion/Vote:** Rep. Sesso moved **TO RECONSIDER ACTIONS ON HB 330.** Motion carried 19-0 by voice vote. Rep. Clark and Rep. Hawk voted by proxy.

02:02:56 **Motion:** Rep. Sesso moved **CONCEPTUAL AMENDMENT.** Motion carried 18-1 by voice vote, with Rep. Franklin voting no. Rep. Clark voted by proxy.

02:03:25 **Motion/Vote:** Rep. Sesso moved **HB 330 DO PASS AS AMENDED.** Motion carried 18-1 by roll call vote, with Rep. Hawk voting no. Rep. Clark voted by proxy.

**EXECUTIVE ACTION ON HB 539**

02:04:39 **Motion:** Rep. Sesso moved **TO RECONSIDER HB 539.**

02:05:10 Rep. Franklin

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**Vote:** Motion carried 15-4 by voice vote, with Rep. Kasten, Rep. Hawk, Rep. Wells, and Rep. Beck voting no. Rep. Clark voted aye by proxy.

02:05:52 **Motion:** Rep. Sesso moved **CONCEPTUAL AMENDMENT** to reduce appropriation from \$500,000 to \$100,000.

02:06:15 Rep. Morgan

02:06:36 Rep. Sinrud

02:06:42 Rep. Jayne

02:07:23 **Vote:** Motion carried 19-0 by voice vote. Rep. Clark voted by proxy.

02:07:39 **Motion:** Rep. Glaser moved **HB 539 DO PASS AS AMENDED.**

02:08:02 Rep. Kasten

02:08:36 Rep. Ripley

02:08:53 Rep. Sesso

02:10:05 **Vote:** Motion carried 12-7 by roll call vote, with Rep. Wells, Rep. Jayne, Rep. Witte, Rep. Beck, Rep. Taylor, Rep. Hawk, and Rep. Kasten voted no. Rep. Clark voted by proxy.

**EXECUTIVE ACTION ON HB 700**

02:11:34 **Motion:** Rep. Franklin moved **HB 700 DO PASS.**

02:12:15 Rep. Franklin

02:12:36 Rep. Morgan

02:13:39 Rep. Jayne

02:15:02 **Substitute Motion/Vote:** Rep. Morgan moved **TO TABLE HB 700.** Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Clark voted by proxy.

**EXECUTIVE ACTION ON HB 418**

02:16:22 **Motion:** Rep. Sinrud moved **TO RECONSIDER HB 418.**

02:16:50 Rep. Morgan

02:16:53 Rep. Sinrud

02:16:58 **Vote:** Motion carried 19-0 by voice vote. Rep. Clark voted by proxy.

02:17:41 **Motion:** Rep. Sinrud moved **HB 418 DO PASS AS AMENDED.**

02:17:49 **Motion:** Rep. Morgan moved **CONCEPTUAL AMENDMENT** of \$2M each year, \$4M for biennium.

02:17:55 Rep. Sinrud

02:17:59 Rep. Morgan **WITHDREW THE MOTION.**

02:18:41 **Vote:** Motion carried 13-6 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Taylor, and Rep. Musgrove voting no. Rep. Clark voted by proxy.

**EXECUTIVE ACTION ON HB 63**

02:19:47 **Motion:** Rep. Musgrove moved **HB 63 DO PASS.**  
**EXHIBIT**(aph65b04)

02:19:55 **Motion:** Rep. Glaser moved **CONCEPTUAL AMENDMENT** to  
remove floor amendment HB 63-1 and reduce appropriation  
amount to \$50M.

02:20:25 Rep. Morgan

02:20:44 Rep. Sinrud

02:22:05 Rep. Musgrove

02:22:53 Rep. Sinrud

02:23:57 Rep. Glaser **WITHDREW THE CONCEPTUAL AMENDMENT MOTION.**

02:24:11 Rep. Musgrove **WITHDREW THE DO PASS MOTION.**

**Additional Exhibits:**

**EXHIBIT**(aph65b05)

**EXHIBIT**(aph65b06)



**ADJOURNMENT**

Adjournment: 7:05 P.M.

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REP. JOHN SINRUD, Chairman

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LINDA KEIM, Secretary

JS/lk

Additional Exhibits:

**EXHIBIT ([aph65bad.pdf](#))**